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**UNITED STATES DISTRICT COURT – NORTHERN DISTRICT OF CALIFORNIA**

ANN OTSUKA, an individual; JANIS KEEFE, an individual; CORINNE PHIPPS, an individual; and JUSTIN KISER, an individual; individually and on behalf of all others similarly situated,	) Case No.: C-07-02780-SI
	)
Plaintiffs,	) <b>PLAINTIFFS' NOTICE OF</b>
vs.	) <b>WITHDRAWAL OF MOTION FOR</b>
	) <b>LEAVE TO AMEND BASED ON JOINT</b>
	) <b>STIPULATION AND PROPOSED</b>
	) <b>ORDER GRANTING PLAINTIFFS</b>
	) <b>LEAVE TO FILE SECOND AMENDED</b>
	) <b>COMPLAINT</b>
POLO RALPH LAUREN CORPORATION; a Delaware Corporation; POLO RETAIL, LLC., a Delaware Corporation; POLO RALPH LAUREN CORPORATION, a Delaware Corporation, doing business in California as POLO RETAIL CORP; and FASHIONS OUTLET OF AMERICA, INC., a Delaware Corporation,	)
	) Judge: Hon. Susan Illston
	) Place: Courtroom 10, 19 <sup>th</sup> Floor
	) Date: November 9, 2007
	) Time: 9:00 a.m.
	)
Defendants.	)
	)

**NOTICE OF WITHDRAWAL OF MOTION TO AMEND**

Defendants and Plaintiffs have entered into a joint stipulation, pursuant to which Plaintiffs seek the Court's permission to file their proposed Second Amended Complaint. That stipulation and proposed order is submitted herewith.

1 Based on this stipulation, Plaintiffs hereby withdraw their motion for leave to amend their  
2 Second Amended Complaint.

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4 DATED: October 19, 2007

THE LAW OFFICE OF PATRICK R. KITCHIN

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6 By: \_\_\_\_\_/S/\_\_\_\_\_

7 Patrick R. Kitchen, Esq.

8 Attorneys for Plaintiffs Janis Keefe, Corinne Phipps and  
9 Justin Kiser and Proposed Plaintiff Renee Davis  
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